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LOGAN, HOCKING COUNTY, OHIO, THURSDAY, MAY 17, 1906.

The Only Democratic Paper in the County

GRAND JURY INVESTIGATING

Fees Received by Attorneys in Ouster Suit.

JUDGE TOBIAS CHARGES

That There Was Bribe Money Received.

Judge James C. Tobias of the Crawford county common pleas court yesterday charged the grand jury in that county to investigate the record of the ending of the suit brought by Frank S. Monnett, Charles Gallinger, former prosecuting attorney of Crawford county, and others against the Toledo and Ohio Central and the Hocking Valley railroads, alleging them to be a trust.

According to Bucyrus dispatches Judge Tobias, in his charge, declared: "If the defendant in the proceeding was disobeying the laws of the State of Ohio, counsel had no right to compromise and accept a large sum of money in settlement."

This excerpt, and, indeed, the entire charge, amounts to an attack upon the character of the former attorney general of Ohio, who is just now representing as counsel the United States interstate commerce commission in investigating the Standard Oil company.

The news that the railroad ouster case was to be investigated caused a sensation in Bucyrus, where Mr. Monnett resided before he was elected attorney general in 1895, and also among those who yesterday heard of it here where he has made his home for 10 years.

Mr. Monnett went to Bucyrus yesterday, but whether of his own motion or in response to a subpoena could not be ascertained.

The suit to which Judge Tobias referred was filed in 1900, after Monnett had retired from the state service. Suit was filed at his instigation simultaneously by the prosecuting attorneys of Crawford and Hocking counties.

Neither suit was tried and both were ended simultaneously. Dispatches from Bucyrus say the court records there show the allowance to the attorneys of \$2000.

He said that the object of the grand jury investigation is to discover why an additional allowance of \$5000 is not on the record, and why this allowance was made. Attorneys familiar with the case will tell the grand jury, it is said, the extra allowance was recorded, but if so that entry upon the Crawford county court records has been stolen.

It is recalled that a similar allowance was made the attorneys in Hocking county. Whether the records of Hocking county are intact is not known here. It is reported that the Crawford county entry of dismissal of the cases contains signed statements by the attorneys for the state in which the state's rights in the premises were signed away for ever.

In his charge to the jury Judge Tobias said:

"It is the pride of the American people that they can look to the courts for protection. Attorneys in this state voluntarily have concluded to represent the public by filing petitions in various counties alleging that the corporation made defendant ought not to continue the business for which a charter was granted. Petitions are filed, defendant duly served with process, and the proceedings advertised as news items in all the dailies of the country, and yet not a single case against a corporation is submitted to the court, all being settled out of court."

"These cases have a termination detrimental to the interests of the

public. They are not presented to the courts but are settled without presenting a single question to the court for consideration.

"When attorneys represent the people, it is their sworn duty to faithfully render honest service to the public. They shall not be permitted to compromise such cases by accepting that which they call an attorney fee, which is a bribe, and in consideration of such 'attorney fee,' spread upon the court's journal a decision that the court delivered.

"The court requests this grand jury to thoroughly investigate the proceeding instigated in this county in the case styled. The State of Ohio against The Toledo and Ohio Central Railroad Company, No 284 and to ascertain what amount of money was paid to the attorneys who filed the petition. The journal recites that the sum of \$2000 was paid to the attorneys who filed the petition, and the court is informed the amount will exceed \$7000.

"If the defendant in this proceeding was disobeying the laws of the state of Ohio, counsel had no right to compromise the case and accept a large sum of money in settlement. If the defendant was indebted, the debt was due the people and not the attorneys, and the money should have been paid for the benefit of the public. If your inquiry discloses the payment of a sum of money wrongfully and illegally paid, you shall include in your report, to whom it was paid and the amount.

"The court was informed of the payment of the money to which I have just called your attention during this term, and this is the first opportunity the court has had to order an investigation."

Columbus, O., May 16.—Judge David F. Pugh of this city, who was associated with former Attorney General Frank S. Monnett in bringing the Hocking Valley-Ohio Central ouster suit, the compromise of which is being investigated by the Crawford county grand jury, made the following statement:

"It was not a compromise, but a decree. The prosecuting attorneys of Crawford and Hocking counties, respectively, were in charge of the cases and we were simply employed to assist the prosecutors. They consented to the decree that was entered. There were three causes of action in each case. One asked for the ouster of the companies from their charters for violation of the anti-trust laws; the second charged that the two roads were violating the parallel line law. The third was that the roads were not paying sufficient taxes. By the settlement of the cases the roads were perpetually enjoined from violating the parallel line law and the anti-trust and tax causes of action were dismissed.

"In each case an attorney fee of \$2,000 was allowed by the court and this was taxed against the railroads as costs. Not a cent came out of the public treasury. Nor was there any greater fee paid us than what the court allowed in the decree entered. There was no compromise out of court. Nothing was done that does not appear in the court's own decree. It is foolish to talk about the settlement of these cases forever estopping the state from proceeding against these two railroads for violation of either the anti-trust or parallel line laws. The state has as much right to day as it ever had."

Monnett and Tobias Candidates.
Cleveland, O., May 16.—According to a statement made here by L. B. Houck, secretary to Governor Pattison, both former Attorney General Monnett and Judge Tobias are active candidates for appointment by Governor Pattison to a place on the new state railroad commission. Judge Tobias instructed the grand jury at Bucyrus to investigate a rumor that Messrs. Monnett and Gallinger had settled the ouster case against the Hocking Valley and Ohio Central railroads for \$7,000 and that \$5,000 of this sum had never been accounted for.

Monnett Testifies.
Bucyrus, O., May 16.—Except for the testimony of F. S. Monnett before the grand jury there has been nothing done in the investigation of the fees paid Mr. Monnett and others in the famous Ohio Central ouster case. It has been the intention to finish up other work on the jury before proceeding with the investigation, but Mr. Monnett's demand for an immediate hearing resulted in his appearance before the body. He then went to Lima to resume his trust investigation.

Claims He Was Victimized.
Lima, O., May 16.—Former Attorney General Frank S. Monnett arrived here from Bucyrus to aid in the prosecution of the bridge trust. Mr. Monnett declared the action of Judge Tobias at Bucyrus as unwarranted. "I went before the grand jury and they victimized me before I ever left Bucyrus," he said.

Logan, O., May 15.—The story in The State Journal this morning reciting the proposed investigation at Bucyrus of the settlement by attorneys of the ouster proceedings against the Hocking Valley and Ohio Central railroads comes home to former Prosecuting Attorney E. O. Pettit of this city. Mr. Pettit said today that Judge Tobias knew nothing of what he was saying, if he declared all such cases were settled without being presented to the court.

In Hocking county, he said, such a suit was filed and fully presented to the circuit court; a full record was made and fully decided against the railroad company.

Mr. Pettit declared the attack of Judge Tobias to be due to a personal grievance against Mr. Monnett. He called to mind an occasion when Judge Tobias in the presence of Pettit and several others bitterly denounced Monnett.

He said that if Judge Tobias has any personal dispute with Monnett he should not attack all attorneys in the case and also attack the circuit court.

Mr. Pettit says he did not get a cent for his services beyond his salary as prosecuting attorney.

Preachers in Politics.

Should be Interested in
Affairs of State.

We sometimes hear the clergy criticised for the inclination of a number of them to discuss political questions from the pulpit. We have heard it said time and again about certain men that if they would talk more christianity and less politics they would better do the work of their Master.

We think the criticism is not well considered or just, if Christianity means anything it means that the Christian must be in all things a good citizen, and by a good citizen we do not mean one merely who obeys the laws of the land, but one who takes an active part in making good laws, electing good public servants, and seeing that the servants of the public do their duty. Such being the case, it is the duty of the Christians clergy to call the attention of their people to delinquencies in public servants, to the general neglect of many of the duties of citizenship, and arouse them to a sense of their responsibilities.

They have, besides, the best warrant in the world for this course, for Christ, the Master, did not hesitate to speak on burning public questions during His ministry, as is shown when he drove the money changers from the temple. Neither did St. Paul hesitate when he called King Agrippa's attention to his brother's wife.

Unless we are mistaken Christianity does not mean a namby-pamby, submission to the established order of things. It does not mean the glorification of things as they are, except as far as the present order means good citizenship, and hence good Christianity.

The code of Christ is one by which nations as well as men can live. It is one that can even govern political parties in their relations with the public they attempt to serve, and unless we are entirely mistaken the minister of His gospel who fails to use his precepts as an encouragement and incentive to better citizenship and better politics in their broadest sense is missing part of his opportunity.—Wellston Transcript.

Gold Ring Lost.

Dr. B. C. McManigal, while working at the fountain in Worthington Park, last Friday evening, had the misfortune to lose a handsome band ring with an odd fel-lows design upon it. Anyone finding same will please return to him.

PROBATE COURT.

Marriage License Issued
This Week.

CANFIELD INSANE.

Administrator of an Estate
Loses His Mind.

MARRIAGE LICENSES.
Charles W. Nail, Logan.
Margaret Downey, Logan.
Thomas Rainer, Gallipolis.
Bessie G. Brown, Logan.
Clarence Phillips, Blatchford.
Kate Canter, Blatchford.

ACCOUNTS ETC.

Hearing was had May 15, on an application for the appointment of a guardian for Daniel Canfield, an insane person, and such appointment was ordered. Application to be appointed guardian was filed by Minnie Canfield. Bond in the sum of \$4000 was ordered, same filed and approved, and letters issued.

Lydia Baird applied, May 15, for adjudication of the alleged imbecility of Joseph Y. Miller, of Logan. Notice was ordered, and the matter set for hearing May 21. Application for letters of administration, with the will annexed, of the estate of Henry Davis, was filed by Oscar Davis, May 12. On filing of approved bond, letters were issued.

Petition to sell the real estate of William Maxwell was filed by Sullivan Maxwell, guardian, May 12. Notice was ordered, and the matter set for hearing May 17, at 8:00 a. m.

The first and final account of Daniel Canfield, executor of the will of David Canfield, was filed May 15, by Minnie Canfield, guardian, and is for hearing June 9.

BIBLE SOCIETY.

Meeting Had for Hocking
County.

A union meeting, under the auspices of the Hocking County Bible Society, was held in the M. E. Church, Sunday evening, in observance of the anniversary of the American Bible Society, that being also the annual meeting of the county organization. The following papers were listened to with great interest by a large congregation: The History of the American Bible Society, Miss Ella Rochester; Transforming Influence of the Bible, Mr. Orla Wright; The need of Bible Truth in National, Social, and Family Life, Miss Merlin Whitecraft. Officers for the year were re-elected, as follows: President, Rev. J. F. Williams; Secretary, H. R. Harrington; Treasurer, H. G. Hansel; Depositary, L. O. Bort.

To Form League.

Manager Nick Shorr, of the Logan Base Ball Club, will go to Nelsonville some time this week to confer with managers of near by towns, regarding the formation of a Hocking Valley league. The towns talked of for the organization are Logan, Nelsonville, Athens, New Straitsville, Murray City, and Carbonhill, and possibly Jacksonville and Congo. This will be a good thing for local base ball and it is to be hoped the conference will result in some definite organization. Logan had the option of joining the newly formed Three Rail League, north and west of here, but the management did not consider the matter favorably.

Base Ball Announcements.

The Nelsonville team will play against Logan next Sunday on the local grounds. They were defeated here once this year, and will probably come strong this time.

The Shortskates and Athletics will try their skill and fortune tomorrow afternoon at two o'clock, at the ball park. The batteries are: Shortskates, Breen and Cherrington; Athletics, Allen and Schwenke. Every point in the game will be hotly contested. Admission ten cents. Ladies Free.

PASSING OF CARL SCHURZ

SLEEPY HOLLOW
Final Resting Place of Carl Schurz.
Funeral Thursday.

New York, May 15.—The funeral services over the remains of the Hon. Carl Schurz, who died Monday in this city, will be held at the family residence Thursday afternoon and will be attended only by members of the family and a few close personal friends. Immediately following the services at the home the body will be conveyed to Tarrytown, where interment will take place in Sleepy Hollow cemetery.

Mr. Schurz, who was 77, was widely known as a publicist. He was born in Germany, near Cologne, March 2, 1829. He became interested in the revolutionary movement in Germany while attending the University of Bonn, and when the uprising came in 1848 he served as a private in the ranks of the insurgents. In 1852 Schurz came to this country, locating first at Philadelphia. Three years later he removed to Wisconsin, allied himself with the Fremont forces and took part in the campaign of 1856. He went to Spain as United States minister in 1861, resigning to return and serve in the civil war, during which he earned the title of major general. In 1869 he was elected to the United States senate from Missouri. Mr. Schurz was one of the organizers of the Liberal party in 1872, and presided over the convention at Cincinnati which nominated Horace Greeley for president. He supported the national Republican ticket in 1874, and in the year following became secretary of the interior in the cabinet of President Hayes.

LARGE INCREASE
Of Chinese Arrivals Noted by Bureau of Immigration.

Washington, May 16.—The bureau of immigration issued a statement regarding the disposition of Chinese seeking admission to the United States covering the month of April, 1906, as compared with April, 1905. The statement covers native-born Chinese, returning laborers, returning merchants, merchants' wives and children, students, travelers, teachers and officials, and shows that out of a total of 100 arriving in April, 1905, 86 were admitted and 14 deported. A very large increase of arrivals in April, 1906, is noted, 241 having landed in this country and 13 of whom were deported.

MAY APPEAL.

Doctor Crapsey's Counsel Discusses the Verdict.

New York, May 16.—Edward M. Shepard of counsel to Dr. Algernon S. Crapsey at his trial for heresy declared in this city that the case will probably be appealed to the court of review of the Protestant Episcopal church of the New York and New Jersey dioceses. Mr. Shepard said he could not say positively as to the appeal until after a conference with Dr. Crapsey. "The notice of appeal," he said, "would stay an enforcement of the decree of the bishop until 30 days after the appellate court shall have acted. I suppose it to be very unlikely that the appellate court would hear the case before next fall."

Startling Statement.

Washington, May 16.—There is not a fire insurance company in this country that knows whether it will be solvent or not when it pays its San Francisco losses." This statement, coming as it did from Miles M. Dawson, secretary for the Armstrong committee of New York, somewhat startled the house committee on judiciary. Mr. Dawson was discussing the question of a model insurance regulation act for the District of Columbia. His argument previously had been confined to life insurance, but he made this slight digression to point out what he deemed faulty provisions in the Ames bill regarding fire companies.

Difficulties of Government

Prosecution of Conspirators

By United States Judge EMORY D. SPEER, Who Presided at the Greene-Gaynor Trial

THE magnificent contributions from the national treasury made by congress for the welfare of the people, all imperatively call for a lesson in thunder tones to faithless, conniving, unprincipled representatives of the government and UNSCRUPULOUS CONTRACTORS or other persons who would conspire to plunder the public treasury.

Nor should the lesson of our government's conduct in the Greene-Gaynor case go unheeded. No necessary expense has been spared, no necessary exertion avoided.

To bring to the bar of public justice those charged with the spoliation of the treasury the supreme court of the United States and the privy council of England, the loftiest tribunals of the English speaking races, have contributed their solemn judgments.

It will be well for our governmental authorities to reflect that unless the obstructive construction placed upon our removal statutes, which delayed the Greene-Gaynor case so long, shall be avoided, as recommended by the president and the attorney general, IT WILL BE WHOLLY IMPOSSIBLE TO HAVE THE SPEEDY TRIAL OF CRIMINAL CASES, and the greater the crime and the more powerful and richer the culprit, the greater will be the difficulty of bringing him to trial. If the government must take its witnesses to each district in which persons indicted jointly for conspiracy or other joint crime may seek refuge and be compelled to ignore the efficacy of the indictment AND TO MAKE OUT THE CASE ANEW, it will amount to a PARALYSIS in the administration of criminal justice.

:: A Clearance Sale of Jackets ::

All New Styles at Greatly
Reduced Prices



Jacket time is all the time, but buying time is—now.

Here's a clean-up of Jackets, all kinds. All are exceptional values from our regular stocks—all go during this sale for very small sums.

Natty New Coverts of Fine Materials. Stylish Tourists in light-weight mixtures.

The prices prevailing during this sale are scaled down to a figure that should promote quick choosing and rapid buying. That's our idea—we mean to give you such jacket bargains as you can't resist.

We promise you full values in fabrics and fashions, and a saving of one-fourth and even one-third on some purchases—never less than one-fourth—off regular prices.

See this assortment of fine Coats—tomorrow is the best time to come.

- Ladies Covert Jackets, front, back and sleeves trimmed with stitched straps, mercerized lined, \$5.00 Jackets reduced to... \$3.75
- Ladies' fine Covert Jackets, trimmed with stitched bands, satin lined, \$7.00 Coats reduced to... \$4.75
- Ladies' fine Covert Jackets, collar and collarless styles, nicely trimmed with stitched bands, satin lined, \$8.00 and \$7.50 Coats reduced to... \$7.50
- Ladies' Jackets of soft and hard twisted Coverts, beautifully trimmed with stitched straps, satin lined, \$9.50 and \$9.00 Jackets reduced to... \$6.50
- Ladies' fine Covert Box Coats of soft and hard twisted Coverts, beautifully trimmed with stitched bands, satin lined, coat collar, \$10.00 values reduced to... \$7.50
- Ladies' 45 inch Tourist Coats, made of fancy mixtures, collar and cuffs of plain cloths, button trimmed, \$10.00 Coats reduced to... \$7.50

Rochester-Lytle Co.

MARION TOWNSHIP

Memorial Association Will
Decorate Graves.

The Memorial Association of Marion Township will hold their usual decoration meeting on the thirtieth day of May. We cordially invite the good people and comrades to meet with us at Mt. Tabor Church not later than 9 o'clock where we will organize and decorate the graves in that cemetery then proceed to pleasant Hill where the exercises will be completed, there will be music and speaking. Prepare a basket of dinner and one of flowers, bring the children and dedicate one more day to this beautiful service.

THE COMMITTEE.

LARGE PLATE GLASS.

Largest Window Glass in
the Valley.

A glass plate, measuring 96 inches by 180 inches, was unloaded at the Rempel Bank, Tuesday, morning, and will be used in the new front. It is the largest glass in the Hocking Valley, and was furnished by The Farmer's Co-operative Hardware Co., of Logan. The glass cost \$250.00 and weighs over a one thousand pounds.